

IN THE UNITED STATES DISTRICT COURT OF  
TERRITORY OF GUAM

CESS NAVARRO OLMO, RONNIE  
PASCUAL FERRERAS,

Plaintiffs,

vs.

A.P. GREEN INDUSTRIES, INC., *et al.*,

Defendants.

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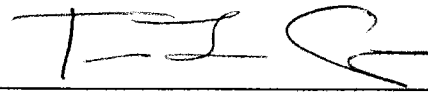
Civil Case No. 05-00025

**SUGGESTION OF BANKRUPTCY**

NOW COMES, Owens Corning, debtor and debtor-in-possession, and shows as follows:

1. On October 5, 2000, Owens Corning filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code, 11 U.S.C. §§ 101-1330, in the United States Bankruptcy Court for the District of Delaware. Owens Corning's bankruptcy case is pending as Case No. 00-03837(JFK). A copy of Owens Corning's bankruptcy petition is attached hereto as Exhibit "A."
2. As a result of the foregoing bankruptcy filing, the above-captioned action is automatically stayed as to Owens Corning pursuant to 11 U.S.C. § 362(a).

SAUL EWING LLP



Dated: September 8, 2005

Tina L. Campo, Esquire  
SAUL EWING LLP  
Centre Square West  
1500 Market Street, 38<sup>th</sup> Floor  
Philadelphia, PA 19102  
(215) 972-7777

Bankruptcy Counsel to Owens Corning  
(Not Admitted in United States  
District Court of Guam)



## **EXHIBIT "A"**

## VOLUNTARY PETITION

United States Bankruptcy Court		<b>VOLUNTARY PETITION</b>
District of Delaware		
Name of Debtor (if individual, enter Last, First, Middle):	Name of Joint Debtor (Spouse) (Last, First, Middle):	
<b>OWENS CORNING, a Delaware Corporation</b>		
All Other Names used by Debtor in the last 6 years (include married, maiden, and trade names):	All Other Names used by Joint Debtor in the last 6 years (include married, maiden, and trade names):	
<b>Owens-Corning Fiberglas Corporation; Owens Corning Corp.; Trumbull Asphalt, a division of Owens Corning; Cultured Stone, a division of Owens Corning; Yellow Jacket, a division of Owens Corning</b>		
Soc. Sec./Tax I.D. No. (if more than one, state all):	Soc. Sec./Tax I.D. No. (if more than one, state all):	
<b>34-4323452; 94-1645030</b>		
Street Address of Debtor (No. & Street, City, State & Zip Code):	Street Address of Debtor (No. & Street, City, State & Zip Code):	
<b>One Owens Corning Parkway Toledo, Ohio 43659 Attn: General Counsel</b>		
County of Residence or of the Principal Place of Business:	County of Residence or of the Principal Place of Business:	
<b>Lucas County, Ohio</b>		
Mailing Address of Debtor (if different from street address):	Mailing Address of Joint Debtor (if different from street address):	
Location of Principal Assets of Business Debtor (if different from addresses listed above):		

### INFORMATION REGARDING DEBTOR (Check the Applicable Boxes)

Venue (Check any applicable box)

- ☒ Debtor has been domiciled or has had a residence, principal place of business or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.
- ☐ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.

**Type of Debtor (Check all boxes that apply)**

- ☐ Individual  
☒ Corporation  
☐ Partnership  
☐ Other
- ☐ Railroad  
☐ Stockbroker  
☐ Commodity Broker

**Nature of Debts (Check one box)**

- ☐ Consumer/Non-Business  
☒ Business

**Chapter 11 Small Business (Check all boxes that apply)**

- ☐ Debtor is a small business as defined in 11 U.S.C. § 101.  
☐ Debtor is and elects to be considered a small business under 11 U.S.C. § 1121(e). (optional)

**Chapter or Section of Bankruptcy Code Under Which the Petition Is Filed (Check one box)**

- ☐ Chapter 7  
☒ Chapter 11  
☐ Chapter 12  
☐ Chapter 13  
☐ Sec. 304-Case ancillary to foreign proceeding

**Filing Fee (Check one box)**

- ☒ Full Filing Fee attached.  
☐ Filing Fee to be paid in installments (Applicable to individuals only)  
 Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form No. 3.

**Statistical/Administrative Information (Estimates only)**

- ☒ Debtor estimates that funds will be available for distribution to unsecured creditors.  
☐ Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors

Estimated Number of Creditors		1-15	16-49	50-99	100-199	200-999	1,000-over
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Estimated Assets							
\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	More than \$100 million
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Estimated Debts							
\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	More than \$100 million
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

THIS SPACE FOR COURT USE ONLY

U.S. BANKRUPTCY COURT  
DISTRICT OF DELAWARE

JUL 5 8 33 AM '00

FILED

## VOLUNTARY PETITION

(This page must be completed and filed in every case)

Name of Debtor(s):

Form 01, Page 1

OWENS CORNING

Location

Prior Bankruptcy Case Filed Within Last 6 Years (If more than one, attach additional sheet)

Where Filed:

None

Case Number:

Date Filed:

Name of Debtor:

Pending Bankruptcy Case Filed by Any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet.)

See Annex A

Case Number:

Date Filed:

District:

Delaware

Relationship:

Judge:

## SIGNATURES

Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X

Signature of Debtor

X

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

Signature of Attorney



Signature of Attorney for Debtor(s)

Mark S. Chehi

Printed Name of Attorney for Debtor(s)

Skadden, Arps, Slate, Meagher & Flom LLP  
Firm NameOne Rodney Square, P.O. Box 636  
Wilmington, Delaware 19899-0636  
Address

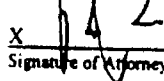
(302) 651-3000

Telephone Number

October 5, 2000

Date

Signature of Attorney



Signature of Attorney for Debtor(s)

Norman L. Pernick

Printed Name of Attorney for Debtor(s)

Saul Ewing Remick & Saul LLP  
Firm Name222 Delaware Avenue  
Suite 1200, P.O. Box 1266  
Wilmington, Delaware 19899-1266  
Address

(302) 421-6000

Telephone Number

October 5, 2000

Date

Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

  
Signature of Authorized Individual

Michael H. Thaman

Printed Name of Authorized Individual

Senior Vice President & Chief Financial Officer  
Title of Authorized Individual

October 4, 2000

Date

Signature of Non-Attorney Petition Preparer

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

Printed Name of Bankruptcy Petition Preparer

Social Security Number

Address

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

X

Signature of Bankruptcy Petition Preparer

Date

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. § 110; 18 U.S.C. § 156.

## EXHIBIT A

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11)

Exhibit A is attached and made a part of this petition.

## Exhibit B

(To be completed if debtor is an individual whose debts are primarily consumer debts)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each chapter.

X

Signature of Attorney for Debtor(s)

Date